

**IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI
THIRD JUDICIAL DISTRICT**

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HENRY P. WOODRUFF,BK 429 PG 113
PLAINTIFF **W.E. DAVIS CH. CLK.****VS.****CIVIL ACTION, FILE NO. 02-5-789 L****ELIZABETH BLACKBURN AND HUSBAND,
JAMES O. BLACKBURN,****DEFENDANTS**

JUDGMENT QUIETING AND CONFIRMING TAX TITLE

This cause came on to be heard upon the Complaint To Quiet And Confirm Tax Title filed by Plaintiff against Elizabeth Blackburn and husband, James O. Blackburn, and any and all persons having or claiming to have any legal or equitable interest in the land described in the complaint, Defendants, personal service of process upon Defendants, Elizabeth Blackburn and husband, James O. Blackburn, Waivers Of Process executed by Elizabeth Blackburn and husband, James O. Blackburn, and publication of process in the time and manner as required by law against all persons having or claiming any interest in the land described in the complaint, and upon proof taken in open court, and the Court, after considering all of the above does hereby find and adjudicate as follows:

1. The Court has jurisdiction of the parties and of the subject matter to this action.
2. Plaintiff, Henry P. Woodruff, is an adult resident citizen of DeSoto County, Mississippi.
3. Defendants, Elizabeth Blackburn and husband, James O. Blackburn, are both

*Minute Book 323
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adult resident citizens of DeSoto County, Mississippi, and have executed Waivers of Process that are on file in this cause.

4. That there are no other persons having or claiming to have any legal or equitable interest in the land described in the Complaint.

5. That Plaintiff is the owner, in fee simple, of the following described land in DeSoto County, Mississippi:

Beginning at a point on the North line of Section 22, Township 2, Range 8 West and being further described as being 1320.0 feet East of said section corner; thence along said section line 396.35 feet to a point; thence South 28 degrees 22 minutes 11 seconds East (passing through an iron pin at 43.42 feet) 230.74 feet to a 14 inch cedar tree; thence North 86 degrees 30 minutes 58 seconds East 75.58 feet to an iron pin; thence South 5 degrees 27 minutes 04 seconds East 1776.39 feet to an iron pin; thence South 84 degrees 04 minutes 50 seconds West 561.78 feet to a found iron pin; thence North 5 degrees 27 minutes 03 seconds West 1330.01 feet to an iron pin (said iron pin being the Southwest Corner of the Blackburn 5.0 acres); thence North 85 degrees 10 minutes 24 seconds East 347.15 feet to an iron pin (said being the Southeast corner of Blackburn 5.0 acres); thence North 5 degrees 23 minutes 20 seconds West 629.87 feet to a iron pin (said pin being the Northeast Corner of Blackburn 5.0 acres); thence South 84 degrees 31 minutes 00 seconds West 347.81 feet to an iron pin (said pin being the Northwest Corner of Blackburn 5.0 acres); thence North 5 degrees 27 minutes 03 seconds West 40.0 feet to the Point of Beginning, and containing 20.12 acres, and being further described as the West one-third (1/3) of the Pounders seventy-five (75) acre tract devised to the said Mrs. Elizabeth Blackburn by the Last Will and Testament of Everett Pounders, recorded in Will Book 13, at Page 55, in the office of the Chancery Court Clerk of DeSoto County, Mississippi. Included in said tract are those lands conveyed by deed of record in Deed Book 129, at Page 151, of the land records of said county and state.

Being parcel number 20852200000002.02.

DERAIGNMENT OF TITLE

6. That the Plaintiff deraigned his title to the above described property for sixty (60) years or more as follows:

A. That the property was conveyed to Plaintiff by Chancery Clerk's Conveyance, Land Sold For Taxes, dated September 14th, 2001, filed for record at 3:18 p.m. on February 22nd, 2002, by instrument recorded in Deed Book 412, Page 123, in the office of the Chancery Clerk of DeSoto County, Mississippi, a copy of which was attached to the Complaint as Exhibit "A".

B. That the property was conveyed to Mrs. Elizabeth Blackburn by a Partition Deed executed by Mrs. Avanell Kirk being the same person as Mrs. Abernell Kirk and Harry Pounders, dated October 10th, 1979, filed for record at 4:00 p.m. on October 24th, 1979, and recorded in Deed Book 144, Page 313, in the office of the Chancery Clerk of DeSoto County, Mississippi.

C. That by descent and distribution of the Estate of Mrs. Hallie Pounders who died intestate in the year 1974, vested with an undivided one-half (1/2) interest in the above described property whose heirs at law were her three (3) children, Harry Pounders, Mrs. Avanell Kirk being the same person as Mrs. Abernell Kirk, and Elizabeth Pounders, and her husband, Everett Pounders.

D. That by Last Will And Testament of Everett Pounders, who died testate on or February 18th, 1978, whose Last Will And Testament was admitted to probate in Cause No. 78-363, Chancery Court, DeSoto County, Mississippi, and whose Last Will And Testament is recorded in Will Book 13, Page 55 in the office of the Chancery Clerk of DeSoto County, Mississippi, in which said Last Will And Testament he devised the

above described property to his children, Harry Pounders, Mrs. Avanell Kirk aka Mrs. Abernell Kirk, and Mrs. Elizabeth Blackburn.

E. That the property was conveyed to Everett Pounders and wife, Mrs. Hallie Pounders by Glennie Wilkinson by Warranty Deed dated September 26th, 1939, filed for record at 10:00 a.m. on November 17th, 1939 and recorded in Deed Book 27, Page 271, in the office of the Chancery Clerk of DeSoto County, Mississippi.

F. That the above land was granted and patented by the United States to Oke-La-Mi-Yea on January 25, 1836 as shown in Deed Records in the office of the Chancery Clerk of DeSoto County, Mississippi.

7. That on the 30th day of August, 1999, the above described land was sold for taxes due by the Tax Collector, Joey Treadway, for taxes due for 1998, and Plaintiff, Henry P. Woodruff, became the purchaser thereof. That the said sale was certified by the Chancery Court Clerk in the manner and within the time required by law; that the tax sale remained on file in the office of the Chancery Clerk for two (2) years and that the Chancery Clerk gave all notice required by law to the owner and to any lien holders of record and that after the time for redemption had expired, the Chancery Clerk made and delivered a tax deed to Plaintiff and caused same to be recorded in Deed Book 412, Page 123, in the office of the Chancery Clerk of DeSoto County, Mississippi, a copy of which was attached to the Complaint as Exhibit "A".

8. That the land at the time of the tax sale was assessed in the name of James O. Blackburn and wife, Elizabeth Blackburn.

9. That after diligent search and inquiry, Plaintiff was unable to give the names, residences or post office addresses of any persons other than those mentioned who have

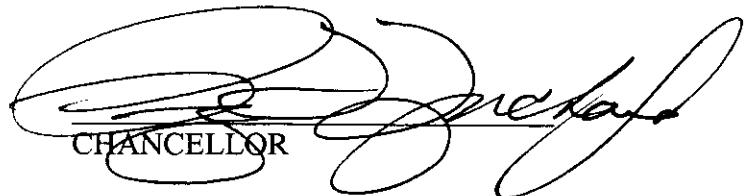
any claim to or any interest in this land but, because of the long number of years since the patent to said land was issued, it is possible that there may be others not now ascertainable after diligent search and inquiry by the Plaintiff. Publication was made in the DeSoto Times Today, a local newspaper with a general circulation in DeSoto County, Mississippi, on June 4th, 2002, June 11th, 2002, and June 18th, 2002. A copy of the proof of publication is on file in this cause.

10. That there has been no answer or contest filed and no appearances made by any of the above named defendants other than the waivers of process referred to hereinabove.

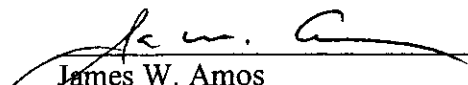
IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that title tot the above described property is now quieted and confirmed in Henry P. Woodruff, owner in fee simple.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a copy of this Order shall be recorded and indexed in the DeSoto County Chancery Court Deed Records and Plaintiff is assessed with court costs in the matter.

ORDERED, ADJUDGED AND DECREED this the 20th day of August, 2002.


CHANCELLOR

Prepared by:


James W. Amos
Attorney for Plaintiff

